

that said article was a substitute for eggs, that said article could be used in place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs in cooking and baking, and that 1 level teaspoonful of said article could be used for each egg called for in recipe; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was an egg substitute, that is to say, that said article was a substitute for eggs, that said article could be used in place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs in cooking and baking, and that 1 level teaspoonful of said article could be used for each egg called for in recipe, whereas, in truth and in fact, said article was not a substitute for eggs, said article could not be used in place of eggs, the contents of each of said packages could not be used in place of 3 dozen eggs in cooking and baking, and 1 level teaspoonful of said article could not be used for each egg called for in recipe, in that it was an artificially colored mixture composed essentially of cornstarch, which had no value as an egg substitute.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8028. Misbranding of O-Zo-Nol. U. S. * * * v. Ozonol Chemical Co., a Corporation. Confessed judgment. Fine, \$10 and costs. (F. & D. No. 9906. I. S. No. 8966-p.)

On September 6, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ozonol Chemical Co., a corporation, Odessa, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 18, 1918, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "O-Zo-Nol * * * Mfd. only by Ozonol Chemical Co., Kansas City, Mo. Odessa, Mo." which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an ointment composed essentially of small amounts of camphor, menthol, boric acid, beta-naphthol, and zinc oxid in a petrolatum base.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the jars and cartons containing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema and all eruptions and diseases of the skin, nasal catarrh, hay fever, sore throat, erysipelas, all inflammatory conditions of the skin or mucous membrane, tetter, tonsillitis, croup, and piles, when, in truth and in fact, it was not.

It was alleged in substance that the article was misbranded for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing in the booklet accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all inflamed, itching, and irritated conditions of the skin, all inflamed, itching, and irritated diseases of the skin, earache, salt rheum, psoriasis, nasal catarrh, cold in the chest and lungs, inflamed eyes, boils, neuralgia, and nervous headache, when, in truth and in fact, it was not.

On June 5, 1920, the case having come on for disposition, the defendant corporation, having been called upon to answer the information, confessed judgment through its counsel, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*